

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
	:	
v.	:	DATE FILED _____
	:	
JAIBERT PANDALES-VALENCIA,	:	VIOLATIONS:
a/k/a David A. Pérez	:	21 U.S.C. § 952(a)
	:	(Importation of more than 500 grams
	:	cocaine – 1 count)
	:	21 U.S.C. § 952(a)
	:	(Importation of heroin – 1 count)
	:	8 U.S.C. § 1326(a) and (b)(2)
	:	(Reentry after deportation
	:	– 1 count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about September 3, 2002, at the Port of Philadelphia, in the Eastern District of Pennsylvania, defendant

JAIBERT PANDALES-VALENCIA,
a/k/a David A. Pérez

did knowingly and intentionally import more than 500 grams, that is, approximately 3,946 grams, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, into the United States from a place outside thereof, that is, Colombia.

In violation of Title 21, United States Code, Sections 952(a) and 960(b)(1)(B).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 3, 2002, at the Port of Philadelphia, in the Eastern District of Pennsylvania, defendant

JAIBERT PANDALES-VALENCIA,
a/k/a David A. Pérez

did knowingly and intentionally import approximately 54.6 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, into the United States from a place outside thereof, that is, Colombia.

In violation of Title 21, United States Code, Sections 952(a) and 960(b)(1)(C).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 3, 2002, at the Port of Philadelphia, in the Eastern District of Pennsylvania, defendant

JAIBERT PANDALES-VALENCIA,
a/k/a David A. Pérez,

an alien, being a citizen of Colombia who had previously been deported from the United States on or about July 27, 1998, was thereafter found in the United States, having knowingly and unlawfully reentered the United States without first applying to the United States Attorney General for permission to reapply for admission, and without receiving in response the express consent of the Attorney General to reapply for admission.

In violation of Title 8, United States Code, Sections 1326(a) and (b)(2).

NOTICE OF PRIOR CONVICTION

Defendant JAIBERT PANDALEZ-VALENCIA, a/k/a David A. Pérez, committed the offense charged in Count 3 of this Indictment after having been convicted in a court of the State of Texas, Harris County, of an aggravated felony, that is, first degree murder, at Houston, in the 230th District Court of Harris County, Texas, at Cause No. 650802.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney